IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6091 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

D C RANA

Versus

STATE OF GUAJRAT

Appearance:

MR PV HATHI for Petitioner

Mr.N.D. Gohil, ASSTT GOVERNMENT PLEADER for Respondent No. 1

MR JIVANLAL G SHAH for Respondent No. 2

RULE SERVED for Respondent No. 3

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 27/09/2001

ORAL JUDGEMENT

Learned advocate for the petitioner states that a cognate matter being Special Civil Application No.7662 of 1989 is disposed of by this Court (Coram: Ms.R.M. Doshit, J.) by judgement dated 25.8.2000. For the

reasons recorded in the said judgement, this petition is allowed.

2. Necessary changes in the last para of the judgement are required to be made and the last para shall read as under:

"I am of the view that since the petitioner was found to be suitable and was placed at serial no.9 and has been given appointment as Gram Sevak pursuant to the interim order made by this Court and since the petitioner has been continuously serving as Gram Sevak for more than 18 years, the petition is required to be allowed in terms of the interim order dated 16.2.1991 passed by this Court (Coram: C.K. Thakkar, J.). It is clarified that I have not examined the reservation policy of the State Government nor am I holding that irrespective of the petitioner's position on the merit list he was entitled to preference in appointment according to the roster point. The petition is accordingly allowed in terms of the interim order dated 16.2.1991. Rule is made absolute to that extent. The parties shall bear their own costs."

(Ravi R. Tripathi, J.)

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